



Tracking Lobbying Activities

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April 30, 2015

MultiState Associates: A state & local government affairs firm providing a full range of services since 1984

- Legislative & Regulatory Lobbying
- Procurement Lobbying
- Legislative & Regulatory Tracking
- City & County Alert Service
- Lobbying Compliance
- Research



Check the Laws!

Before making any contacts in a jurisdiction, review the laws governing lobbying and lobbyists.*



* Information provided is not legal advice and is not a substitute for actual legal advice and counsel directed at your specific situation.

Honest Leadership and Open Government Act of 2007 “HLOGA”

- Effective January 1, 2008
- Requires the reporting of more information, more often
- Change in thresholds
- Change in the requirement to report previous government service positions
- New semiannual reporting for registrants and individual lobbyist.



Who is a “Federal Lobbyist”?

- Any Person who has made two or more lobbying contacts at any time

AND

- Who spends 20 percent of his or her time in any three-month period on “lobbying activities” and “lobbying contacts”



What is a “Lobbying Contact”?

- Any oral, written, or electronic communication to a covered federal legislative or Executive Branch official made on behalf of a client.
- Includes the formation, modification, or adoption of federal legislation.
- Does not include, among others, requests for meetings, written or oral testimony given before a congressional Committee, information provided in writing in response to a request from a covered official, communication made in response to an official agency enforcement action or inquiry, comments made on the record in a public rulemaking, enforcement, or adjudicative proceeding.

What is a “Lobbying Activity”?

- Lobbying contacts and efforts in support of such contacts, including:
 - Preparation and planning, research and other background work that is intended, at the time it is performed, for use in contacts and coordination with the lobbying activities of others.

Who is a “Covered Official”?

- Legislative Branch:
 - Members of Congress, congressional staff, and officers
- Executive Branch:
 - The President, Vice President, Officers and employees of the Executive Office of the President, Any official serving in an Executive Level I through V position, Schedule C employees, Any member of the uniformed services serving at grade 0-7 or above.
 - Does not include Senior Executive Service employees.

Compliance Recommendations

- Policies and procedures
 - Regarding contact with public officials
 - Regarding restrictions or preclearance of gift and entertainment expenditures
- Keeping an up-to-date resource on:
 - Lobbying laws and rules
 - The policies of individual public clients



Compliance Recommendations

- System or tool to log requests and maintain permission documentation
- Proactively train employees on limits and thresholds

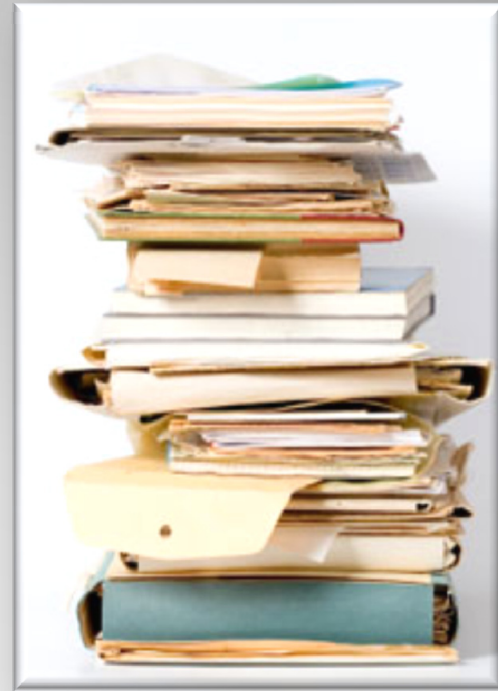


Registration

- Expense Threshold
- Effective Date: Earlier of....
 - Date employee/lobbyist is employed to make more than one lobbying contact **or**
 - Date the employee/lobbyist actually makes a second lobbying contact
- Required within 45 days

Recordkeeping

- Time
- Content
- Expenditures



Reporting

- Lobbying Activities
- Lobbying Expenses
- Disclosure of Certain Contributions
- Mandatory Electronic Filing

Audits

- Conducted by the Government Accountability Office (GAO)
- Random Sample of registrants
- Review of internal records from registrant used to prepare LD-2 reports
- Review of internal LDA compliance programs

How Do MultiState Clients Collect Information for reporting federal lobbying activity?

- Custom registration and reporting forms
- 24/7 online access
- E-mail notifications



Webinar Presenter



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KELLEY DRYE

A special thanks to David Frulla and Jeff Hunter of Kelley Drye & Warren's Washington, D.C. law office who specialize in helping clients comply with lobbying laws.



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Questions & Additional Information

